

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2007-0793-AIR-E TCEQ ID: RN100542661 CASE NO.: 33521
RESPONDENT NAME: Atmos Energy Corporation

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: New York Storage Compressor Station, 1777 Lone Star Road, Henrietta, Clay County</p> <p>TYPE OF OPERATION: Natural gas storage station</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on October 8, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Miriam Hall, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-1044; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Mr. Bob Bennett, Manager, Environmental Services, Atmos Energy Corporation, 5420 Lyndon B. Johnson Freeway, Suite 1820, Dallas, Texas 75240 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 3, 2007</p> <p>Date of NOV/NOE Relating to this Case: April 19, 2007 (NOE)</p> <p>Background Facts: This was a routine record review. Two violations were documented.</p> <p>AIR</p> <p>1) Failed to submit a Semiannual Deviation Report for the period December 4, 2005 through June 3, 2006. Specifically, Atmos Energy had an emissions event December 16-21, 2005 but did not submit a Semiannual Report [30 TEX. ADMIN. CODE § 122.145(2)(A), General Operating Permit No. 514, Condition (b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to submit a complete Annual Compliance Certification for the period December 4, 2005 through December 3, 2006. Specifically, Atmos Energy had an emissions event December 16-21, 2005 but did not list the deviation on the Annual Compliance Certification [30 TEX. ADMIN. CODE § 122.146(5)(C), General Operating Permit No. 514, Condition (b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$2,392</p> <p>Total Deferred: \$478 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$1,914</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on May 29, 2007, Atmos Energy submitted a revised Annual Compliance Certification and Deviation Reports for the period December 4, 2005 through December 3, 2006 as a corrective measure at the Plant.</p>

Additional ID No(s): CL00070



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 26, 2007

TCEQ

DATES

Assigned

23-Apr-2007

PCW

24-May-2007

Screening

16-May-2007

EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent Atmos Energy Corporation

Reg. Ent. Ref. No. RN100542661

Facility/Site Region 3-Abilene

Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 33521

Docket No. 2007-0793-AIR-E

Media Program(s) Air

Multi-Media

No. of Violations 2

Order Type 1660

Enf. Coordinator Miriam Hall

EC's Team Enforcement Team 4

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$2,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

2% Enhancement

Subtotals 2, 3, & 7 \$52

Notes

The penalty was enhanced for one unrelated NOV.

Culpability

No

0% Enhancement

Subtotal 4 \$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

10% Reduction

Subtotal 5 \$260

Before NOV

NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes

The respondent came into compliance on May 29, 2007.

0% Enhancement*

Subtotal 6 \$0

Total EB Amounts \$7
Approx. Cost of Compliance \$200

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal \$2,392

OTHER FACTORS AS JUSTICE MAY REQUIRE

Adjustment \$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount \$2,392

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty \$2,392

DEFERRAL

20%

Reduction

Adjustment -\$478

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$1,914

Screening Date 16-May-2007.

Docket No. 2007-0793-AIR-E

PCW

Respondent Atmos Energy Corporation

Case ID No. 33521

Policy Revision 2 (September 2002)

Reg. Ent. Reference No. RN100542661

PCW Revision April 26, 2007

Media [Statute] Air

Enf. Coordinator Miriam Hall

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 2%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The penalty was enhanced for one unrelated NOV.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 2%

Screening Date 16-May-2007

Docket No. 2007-0793-AIR-E

PCW

Respondent Atmos Energy Corporation

Policy Revision 2 (September 2002)

Case ID No. 33521

PCW Revision April 26, 2007

Reg. Ent. Reference No. RN100542661

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 122.145(2)(A), General Operating Permit No. 514, Condition (b)(2), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit a Semiannual Deviation Report for the period December 4, 2005 through June 3, 2006. Atmos Energy had an emissions event December 16-21, 2005 but did not submit a Semiannual Report .

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

Less than 30% of the rule requirement was met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

294 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$2,300

This violation Final Assessed Penalty (adjusted for limits) \$2,300

Economic Benefit Worksheet

Respondent Atmos Energy Corporation
 Case ID No. 33521
 Reg. Ent. Reference No. RN100542661
 Media Air
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	3-Jul-2006	29-May-2007	0.9	\$5	n/a	\$5

Notes for DELAYED costs

The estimated cost for submitting the deviation report from due date to actual compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$100

TOTAL \$5

Screening Date 16-May-2007

Docket No. 2007-0793-AIR-E

PCW

Respondent Atmos Energy Corporation

Policy Revision 2 (September 2002)

Case ID No. 33521

PCW Revision April 26, 2007

Reg. Ent. Reference No. RN100542661

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 122.146(5)(C), General Operating Permit No. 514, Condition (b)(2), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit a complete Annual Compliance Certification for the period December 4, 2005 through December 3, 2006. Atmos Energy had an emissions event December 16-21, 2005 but did not list the deviation on the Annual Compliance Certification.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

More than 70% of the rule requirement was met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

111 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$92

This violation Final Assessed Penalty (adjusted for limits) \$92

Economic Benefit Worksheet

Respondent Atmos Energy Corporation
Case ID No. 33521
Reg. Ent. Reference No. RN100542661
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	2-Jan-2007	29-May-2007	0.4	\$2	n/a	\$2

Notes for DELAYED costs

The estimated cost for submitting an amended compliance certification from due date to actual compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$2

Compliance History

Customer/Respondent/Owner-Operator:	CN602730319	Atmos Energy Corporation	Classification: AVERAGE	Rating: 3.02
Regulated Entity:	RN100542661	NEW YORK STORAGE COMPRESSOR STATION	Classification: AVERAGE	Site Rating: 0.43
ID Number(s):	AIR OPERATING PERMITS		ACCOUNT NUMBER	CL00070
	AIR OPERATING PERMITS		PERMIT	443
	AIR NEW SOURCE PERMITS		ACCOUNT NUMBER	CL00070
	AIR NEW SOURCE PERMITS		AFS NUM	4807700002
Location:	1777 LONE STAR RD, HENRIETTA, TX, 76365		Rating Date: September 01 06 Repeat Violator: NO	
TCEQ Region:	REGION 03 - ABILENE			
Date Compliance History Prepared:	May 24, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	May 24, 2002 to May 24, 2007			

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Miriam Hall Phone: (512) 239-1044

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership of the site during the compliance period? Yes
- If Yes, who is the current owner? Atmos Energy Corporation
- If Yes, who was/were the prior owner(s)? Lone Star Pipeline Company, Inc.
TXU Gas Company dba TXU Lone Star Pipeline Company
- When did the change(s) in ownership occur? 10/01/2004

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

- 01/22/2003 (21519)
- 01/23/2004 (258954)
- 01/19/2005 (346197)
- 01/10/2006 (451195)
- 02/24/2006 (454309)
- 04/07/2006 (449642)
- 04/20/2007 (555838)

- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 02/24/2006 (454309)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)(i)

Description: New York Storage Compressor Station, was not in compliance with the Demonstration Criteria set forth in of 30 Tex. Admin. Code 101.222(b) and therefore is not subject to an affirmative defense to all claims in enforcement actions brought for these events.

- F. Environmental audits.

N/A

- G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ATMOS ENERGY CORPORATION
RN100542661**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0793-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Atmos Energy Corporation ("Atmos Energy") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Atmos Energy appear before the Commission and together stipulate that:

1. Atmos Energy owns and operates a natural gas storage station at 1777 Lone Star Road in Henrietta, Clay County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and Atmos Energy agree that the Commission has jurisdiction to enter this Agreed Order, and that Atmos Energy is subject to the Commission's jurisdiction.
4. Atmos Energy received notice of the violations alleged in Section II ("Allegations") on or about April 24, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Atmos Energy of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Three Hundred Ninety-Two Dollars (\$2,392) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Atmos Energy has paid One Thousand Nine Hundred Fourteen Dollars (\$1,914) of the administrative penalty and Four Hundred Seventy-Eight Dollars (\$478) is deferred

contingent upon Atmos Energy's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Atmos Energy fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Atmos Energy to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Atmos Energy have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on May 29, 2007, Atmos Energy submitted a revised Annual Compliance Certification and Deviation Reports for the period December 4, 2005 through December 3, 2006 as a corrective measure at the Plant.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Atmos Energy has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, Atmos Energy is alleged to have:

1. Failed to submit a Semiannual Deviation Report for the period December 4, 2005 through June 3, 2006, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(A), General Operating Permit No. 514, Condition (b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on April 3, 2007. Specifically, Atmos Energy had an emissions event December 16-21, 2005 but did not submit a Semiannual Report.
2. Failed to submit a complete Annual Compliance Certification for the period December 4, 2005 through December 3, 2006, in violation of 30 TEX. ADMIN. CODE § 122.146(5)(C), General Operating Permit No. 514, Condition (b)(2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on April 3, 2007. Specifically, Atmos Energy had an emissions event December 16-21, 2005 but did not list the deviation on the Annual Compliance Certification.

III. DENIALS

Atmos Energy generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Atmos Energy pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Atmos Energy's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Atmos Energy Corporation, Docket No. 2007-0793-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The provisions of this Agreed Order shall apply to and be binding upon Atmos Energy. Atmos Energy is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against Atmos Energy in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Atmos Energy, or three days after the date on which the Commission mails notice of the Order to Atmos Energy, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

16/18/07

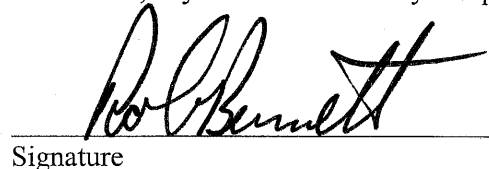
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

8-1-07

Date

Rob Bennett

Name (Printed or typed)
Authorized Representative of
Atmos Energy Corporation

Manager, Environmental Services

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Journal of Management Studies, 19(1), 67-80.

Figure 1. The effect of the concentration of the *Agrobacterium* strain on the transformation efficiency of *Agrobacterium* strain 101. The concentration of the *Agrobacterium* strain 101 was varied from 10 to 1000 cells per μ l. The transformation efficiency was determined by the number of transformants per μ l of the *Agrobacterium* strain 101. The data were expressed as the mean \pm SD of three independent experiments.